



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.10.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.19551 of 2016

P.Seenivasagam

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai.

2.The District Revenue Officer,
Madurai District,
Madurai.

3.The Revenue Divisional Officer,
Usilampatti,
Madurai District.

4.The Head Quarters Deputy Tahsildar,
Peraiyur Taluk,
Madurai District.

5.Mallika

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 3rd respondent to consider and dispose of the petitioner's appeal, dated 13.05.2013 filed under Tamil Nadu Patta Pass Book Act, 1983 and its Rules 1987, within a stipulated period which this Hon'ble Court may deem proper.

For Petitioner : Mr.G.Marimuthu

For Respondents : Mr.N.S.Karthikeyan,

(R1 to R4)

Additional Government Pleader

ORDER

This Writ Petition has been filed praying for issuance of a Writ of Mandamus, directing the 3rd respondent to consider and dispose of the petitioner's appeal, dated 13.05.2013 filed under Tamil Nadu Patta Pass Book Act, 1983 and its Rules 1987, within a stipulated period.



2. I have heard the learned counsel appearing on either side and perused the materials available on record.

3. Perusal of the record would disclose that in pursuant to the order passed by the Learned II Additional Sub Judge, Thirumangalam, in I.A.No.235 of 2010 in O.S.No.518 of 2010 in favour of the petitioner, the petitioner submitted a representation before the District Collector, Madurai, on 13.05.2013, who in turn, forwarded the same to the 3rd respondent / Revenue Divisional Officer, Usilampatti, Madurai District, to conduct enquiry. Accordingly, the 3rd respondent has issued Notice to the parties concerned for enquiry on 19.06.2013 and the parties were appeared and thereafter, by an order dated 23.07.2015, the 3rd respondent directed the Tahsildar, Peraiyur, to submit the records and despite the same, so far, no order has been passed. Therefore, the petitioner came forward to file the present Writ Petition.

4. Since the issue is pending on the file of the 3rd respondent, from the year 2013, without expressing any opinion on the merits of the matter, the 3rd respondent is directed to dispose of the petitioner's appeal, on merits and in accordance with law, after hearing the petitioner and other rival parties, within a period of 12 weeks from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(Record)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District,
Madurai.

2.The District Revenue Officer,
Madurai District,
Madurai.

3.The Revenue Divisional Officer,
Usilampatti,
Madurai District.



4.The Head Quarters Deputy Tahsildar,
Peraiyur Taluk,
Madurai District.

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+1cc to special Government Pleader Sr.No.60115
+1cc to Mr.G.Marimuthu, Advocate SR.No.59969

mpk

sm:KM:7.11.2016:3P/7c

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